IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7968 OF 2005

Hiralal Amolik Vora Petitioner

versus

Sampat Ratanlal Gaikwad & anr. Respondents

Mr.O.M.Gupte for petitioner.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 9th January 2006

PC :

1. This is a petition to challenge the order passed by the Motor Accident Claims Tribunal in an application filed u/s 140 of Motor Vehicles Act. Admittedly, the principle which is applied, is "no fault liability". It is not expected from the Court to decide contentious issues about the title of vehicle in question as also the liability of the person impleaded as owner. All such issues are naturally open for being agitated and considered at the trial and neither a direction to pay nor the observations in the impugned order would constitute a bar in such issues being raised and considered in accordance with law. Petition dismissed.

(S.C.DHARMADHIKARI, J.)